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13 RAMESH “SUNNY” BALWANI

14 UNITED STATES DISTRICT COURT  
15 NORTHERN DISTRICT OF CALIFORNIA  
16 SAN JOSE DIVISION

17 UNITED STATES OF AMERICA,  
18 Plaintiff,  
19 v.  
20 RAMESH “SUNNY” BALWANI,  
21 Defendant.

Case No. 18-CR-00258-EJD

**[REVISED PROPOSED] ORDER  
GRANTING DEFENDANT RAMESH  
“SUNNY” BALWANI’S MOTION FOR  
CURATIVE INSTRUCTION ON  
THERANOS DEVICES SENT TO  
WALGREENS**

Judge: Honorable Edward J. Davila

**[REVISED PROPOSED] ORDER**

On April 18, 2022, Defendant Ramesh “Sunny” Balwani submitted a motion for a curative instruction on Theranos devices sent to Walgreens.

The Court, having reviewed the motion, finds good cause and hereby **GRANTS IN PART** Mr. Balwani’s motion. The Court will read the following instruction to the jury at the start of evidence on April 19, 2022:

- Members of the Jury: There were questions from the government to Mr. Edlin on Friday about whether a Theranos device sent to Walgreens included cartridges and reagents.
- I am instructing you that, for purposes of your ultimate decision, beginning in 2010, before the retail launch with Walgreens, Theranos sent proprietary devices, and cartridges and reagents, to Walgreens.

**IT IS SO ORDERED.**

Dated: \_\_\_\_\_

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HONORABLE EDWARD J. DAVILA  
UNITED STATES DISTRICT JUDGE